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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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KRISTIN K. MAYES, Chairman

GARY PIERCE

AZ CORP COMMISSION

PAUL NEWMAN

DOCKET CONTROL

SANDRA D. KENNEDY

BOB STUMP

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY FOR A  
HEARING TO DETERMINE THE FAIR VALUE  
OF THE UTILITY PROPERTY OF THE  
COMPANY FOR RATEMAKING PURPOSES, TO  
FIX A JUST AND REASONABLE RATE OF  
RETURN THEREON, AND TO APPROVE RATE  
SCHEDULES DESIGNED TO DEVELOP SUCH  
RETURN.

DOCKET NO. E-01345A-08-0172

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 24, 2008, Arizona Public Service Company ("APS") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase.

On November 17, 2009, a Recommended Opinion and Order was docketed. The Recommended Order proposed approval of a Settlement Agreement filed in the docket, with certain modifications.

On November 24, 2009, the Commission's Utilities Division Staff ("Staff") filed a Request for a Procedural Order. Staff states that Section 14.10 of the Settlement Agreement sets forth a timeframe for review and approval of APS' 2010 Energy Efficiency Implementation Plan ("EEI Plan"). Staff indicates that, because of its limited resources and the volume of additional pending matters, it has been unable to complete its review of the EEI Plan within the timeframe contemplated by the Settlement Agreement. Staff proposes that it be permitted to file by December 2, 2009, its recommendations regarding the following four programs:

1. Low Income Weatherization enhancements;
2. Appliance Recycling;
3. Raising the consumer cap on the schools program; and
4. Self Direction.

Staff states that its proposal would allow the Commission to consider these four items at its Special Open Meeting that is scheduled to commence on December 7, 2009, as long as the time period for exceptions is shortened accordingly. According to its filing, Staff's recommendations concerning the remaining six programs under the EEI Plan would be considered at the January 2010 Open Meeting. Staff represents that it provided its proposed schedule to all parties in the APS rate case docket and that no party objects to Staff's request.

IT IS THEREFORE ORDERED that Staff's request to adopt the procedural schedule described above for consideration of the EEI Plan pursuant to Section 14.10 of the Settlement Agreement is granted. Staff shall file its recommendations regarding the four programs set forth above by December 2, 2009. Exceptions to Staff's recommendations shall be filed by 4:00 p.m., on December 4, 2009.

DATED this 1<sup>st</sup> day of December, 2009.

*D. M. Jones for Lyn Farmer*  
 LYN FARMER  
 CHIEF ADMINISTRATIVE LAW JUDGE

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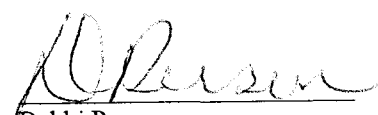
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